

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CHRIS EVERKA</b>  <b>v.</b>  <b>CAPITAL ONE, N.A. and CAPITAL ONE FINANCIAL CORPORATION and CAPITAL ONE BANK (USA), N.A.</b>	<b>CIVIL ACTION</b>  <b>NO. 19-3461</b>
<b>ZAKARIA HAQUE</b>  <b>v.</b>  <b>CAPITAL ONE FINANCIAL CORPORATION, CAPITAL ONE NATIONAL ASSOCIATION, CAPITAL ONE BANK (USA), NATIONAL ASSOCIATION</b>	<b>CIVIL ACTION</b>  <b>NO. 19-3512</b>

**PRETRIAL ORDER**

These cases are recently filed. It appears that a number of similar cases have been filed in other district courts, and that the Judicial Panel on Multidistrict Litigation, pursuant to 28 U.S.C. § 1407, will consider consolidation of these cases for pretrial purposes at a future session of the Panel. As the Panel notes, this Court continues to have jurisdiction pursuant to §1407. Therefore, on this 5<sup>th</sup> day of August, 2019, it is **ORDERED** as follows:

1. Plaintiffs' counsel are directed to forthwith serve a copy of the Complaint and this Order on Defendants, and/or, if known, counsel for Defendants.
2. *Preservation of Records.* Each party shall preserve all documents and other records containing information potentially relevant to the subject matter of this litigation, and shall document their activities in this regard for possible production during discovery, or for the benefit of the Court. Each party shall also preserve any physical evidence and shall not conduct

any testing that alters physical evidence that may be useful in these cases.

3. *Admission of Counsel.* Attorneys admitted to practice and in good standing in any United States District Court are admitted *pro hac vice* in this litigation. Association of local co-counsel is not required.

4. All disclosure requirements and discovery proceedings are stayed. If any discovery shall be initiated, the dates for any objections or other responses are stayed. This Order does not preclude (1) voluntary discovery regarding the identification or location of relevant documents and witnesses; or (2) voluntary disclosures. Relief from this stay may be granted for good cause shown, such as the ill health of a proposed deponent.

5. The internet discloses that Defendants have issued announcements, and this Order shall not be construed as interfering with Defendants taking such measures as Defendants believe is appropriate under all the circumstances.

**BY THIS COURT:**

**/s/ Michael M. Baylson**

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**MICHAEL M. BAYLSON**  
**United States District Court Judge**

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